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8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **OAKLAND DIVISION**

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12 S.J. AMOROSO CONSTRUCTION  
CO., INC.,

13 Plaintiff,

14 v.

15 LIBERTY SURPLUS INSURANCE  
16 CORPORATION, and DOES 1 through 50,

17 Defendants.

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19  
20 AND ALL RELATED CROSS-ACTIONS  
21  
22

Case No. C:09-cv-04197-PJH

**STIPULATION GRANTING  
LEAVE FOR COUNTER-  
DEFENDANT TO FILE AN  
AMENDED ANSWER TO  
LIBERTY SURPLUS INSURANCE  
CORPORATION'S COUNTER-  
CLAIM AND ORDER THEREON**

[FRCP Rule 15(a)(2),  
Civil Local Rule 7-12]

**Courtroom:** 3

**Judge:** Phyllis J. Hamilton

23 WHEREAS Counter-Defendant S.J. AMOROSO CONSTRUCTION  
24 CO., INC. filed an answer to LIBERTY SURPLUS INSURANCE CORPORATION's  
25 counter-claim on October 14, 2009;

26 WHEREAS Counter-Defendant wishes to file an amended answer to LIBERTY  
27 SURPLUS INSURANCE CORPORATION's counter-claim to add some additional  
28 affirmative defenses;

1 WHEREAS the parties have agreed to provide S.J. AMOROSO CONSTRUCTION  
2 CO., INC. with ten days' leave to file a first amended answer to LIBERTY SURPLUS  
3 INSURANCE CORPORATION's counter-claim;

4 WHEREAS S.J. AMOROSO CONSTRUCTION CO., INC.'s answer will be filed  
5 before the January 7, 2010 Case Management Conference;

6 WHEREFORE it is hereby stipulated and agreed by and between the parties through  
7 their respective counsel that Counter-Defendant S.J. AMOROSO CONSTRUCTION  
8 CO., INC. shall have ten days' leave to file an amended answer to LIBERTY SURPLUS  
9 INSURANCE CORPORATION's counter-claim.

10  
11 Dated: December 22, 2009

GRECO TRAFICANTE SCHULZ & BRICK

12  
13 By: s/ Peter J. Schulz

Clyde C. Greco, Jr., Esq.

Peter J. Schulz, Esq.

Attorneys for Plaintiff/Counter-Defendant

S.J. AMOROSO CONSTRUCTION CO., INC.

16  
17 Dated: December 23, 2009

McCORMICK BARSTOW LLP

18  
19 By: s/ Patrick Fredette

Patrick Fredette, Esq.

Attorneys for Defendant/Counter-Claimant

LIBERTY SURPLUS INSURANCE

CORPORATION

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23  
24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25 Dated: December 22, 2009

26 By: \_\_\_\_\_  
27 Hon. Phyllis J. Hamilton

